

(1) Second and Final Account and Report of Conservator, (2) Petition for Allowance of Compensation to Conservator and Attorney (Prob. C. 1860, 2620, 2623, 2630, 2942)

<b>DOD: 08/29/10</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioner.	
		2 <sup>nd</sup> & Final Account period: <b>10/01/09 – 08/29/10</b>	
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Accounting - <b>\$16,133.50</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Beginning POH - <b>\$1,052.50</b>	
<input type="checkbox"/>	<b>Inventory</b>	Ending POH - <b>\$513.06</b>	
<input type="checkbox"/>	<b>PTC</b>	Subsequent to the Final Account period: <b>08/30/10 – 06/13/11</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Accounting - <b>\$2,739.55</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/	Beginning POH - <b>\$513.06</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Ending POH - <b>\$668.55</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Conservator - <b>\$1,191.20</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	(7.5 deputy hours @ \$96/hr. and 6.2 staff hours @ \$76/hr.)	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	Attorney - <b>\$1,500.00</b> (per	
<input type="checkbox"/>	<b>Duties/Supp</b>	Local Rule)	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	Bond Fee - <b>\$37.50</b> (OK)	
<input checked="" type="checkbox"/>	<b>CI Report</b>	Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
<input type="checkbox"/>	<b>2620(c)</b> n/a		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
<b>Petitioner prays for an Order:</b>			
<ol style="list-style-type: none"> <li>1. Finding that the conservatorship of the person and estate terminated on August 29, 2010;</li> <li>2. Approving, allowing and settling the second account and final account;</li> <li>3. Authorizing the conservator and attorney fees and commissions;</li> <li>4. Payment of the bond fee;</li> <li>5. Authorizing the petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.</li> </ol>			

Reviewed by: JF

Reviewed on: 09/29/11

Updates:

Recommendation:

File 1 - Hall

**First Account and Report of Guardian, Petition for Allowance of Fees to Attorney  
for Guardian (Prob. C. 2620)**

Age: 11 years DOB: 12/28/1999		<b>STEPHANIE LASSLEY,</b> Guardian/mother, is petitioner.  Account period: 6/8/10 – 6/30/10  Accounting - <b>\$700,506.33</b> Beginning POH - <b>\$678,178.59</b> Ending POH - <b>\$691,022.37</b>  Guardian - not addressed.  Attorney - <b>\$2,845.00</b> (28.45 hrs @ \$200/hr divided by 2)  Attorney costs - <b>\$45.00</b> (filing fee & certified copies)  Guardian costs - <b>\$1,263.00</b> (filing fee, fee for preparation of taxes, taxes)  <b>Petitioner prays for an Order:</b>  1. Approving the first account and report of the guardian;  2. Allowing aymment of attorney fees of \$2,845.00 and costs of \$45.00;  3. Allowing reimbursement of costs to the guardian in the amount of \$1,263.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620(c)</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 10/3/11</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 2 – Lassley</b>	

## (1) First Account and Report of Guardian, (2) Petition for Allowance of Fees to Attorney for Guardian (Prob. C. 2620)

Age: 13 years DOB: 3/16/1998		STEPHANIE LASSLEY, Guardian/mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 6/8/10 – 6/30/10	
		Accounting - \$700,506.17	
Cont. from		Beginning POH - \$678,178.59	
	Aff.Sub.Wit.	Ending POH - \$691,022.21	
✓	Verified		
✓	Inventory	Guardian - not addressed.	
✓	PTC		
	Not.Cred.	Attorney - \$2,845.00 (28.45 hrs @ \$200/hr divided by 2)	
✓	Notice of Hrg	Attorney costs - \$45.00 (filing fee & certified copies)	
✓	Aff.Mail	Guardian costs - \$1,263.00 (filing fee, fee for preparation of taxes, taxes)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	Petitioner prays for an Order:	
	Duties/Supp	4. Approving the first account and report of the guardian;	
	Objections	5. Allowing aymment of attorney fees of \$2,845.00 and costs of \$45.00;	
	Video Receipt	6. Allowing reimbursement of costs to the guardian in the amount of \$1,263.00.	
	CI Report		
✓	2620(c)		
✓	Order		
	Aff. Posting		Reviewed by: KT
	Status Rpt		Reviewed on: 10/3/11
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 3 – Lassley

Atty Motsenbocker, Gary L. (for Annette Quintal Henkel – Administrator)

**First and Final Account and Report of Administrator and Petition for Its Settlement,  
and (2) Petition for Final Distribution and (3) Allowance of Ordinary Attorney's Fee  
(Prob. C. §§ 10951, 11000et. seq., 10800, 11050, 1060 et. seq.)**

<b>DOD: 12/05/10</b>		<b>ANNETTE QUINTAL HENKEL,</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Administrator, is Petitioner.	
		Accounting period: <b>12/05/10 – 07/31/11</b>	
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Accounting - <b>\$461,367.16</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Beginning POH - <b>\$457,659.94</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Ending POH - <b>\$423,724.39</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	(\$199,224.39 is cash)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Administrator - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$10,000.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(less than statutory)	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	Closing - <b>\$1,000.00</b>	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Letters</b>	02/09/11	
	<b>Duties/Supp</b>	Annette Quintal Henkel - \$94,112.20	
	<b>Objections</b>	plus 50% interest in real property, a mobile home, a Toyota Avalon, and household furnishings	
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>	Wayne C. Quintal - \$94,112.20	
<input checked="" type="checkbox"/>	<b>Order</b>	plus 50% interest in real property, a mobile home, a Toyota Avalon, and household furnishings	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 09/30/11
			<b>Updates:</b>
			<b>Recommendation:</b> SUBMITTED
			<b>File 4 - Quintal</b>

**Petition to Compel Trustee to Account for Attorney's Fees and for Removal of Trustee [Prob. C 17200(b)(7)]**

Marie Moore 10-15-96	<b>TIMOTHY E. MOORE</b> , Beneficiary and Second Successor Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Edward C. Moore DOD: 9-16-06	<b>Petitioner states</b> that in the 4½ years that <b>TERENCE MOORE</b> has served as Trustee, he has never provided a Notice of Administration of the Trust or an account, although Petitioner has made several informal requests.	
Cont. from 082511	<b>On 2-23-11</b> Petitioner, through his counsel, made formal written demand for account, and on 3-9-11, the Trustee mailed copies of the trust documents to Petitioner's counsel, without account.	<u><b>Minute Order 8-25-11:</b></u> The Court orders that an accounting be prepared. The Court directs that notice be given to the appropriate parties.
Aff.Sub.Wit.	<b>A second formal demand</b> was sent on 3-14-11, and on 3-16-11, a response from Trustee's counsel requested until 6-23-11 to complete the account.	<u><b>As of 10-3-11</b></u> , no account has been filed. The following issues remain noted:
✓ Verified	<b>On 6-22-11</b> , counsel for Petitioner received a fax from Trustee with a letter and some information regarding the gun collection and value of the guns; however, an accounting was not provided, and the fax stated: <i>"Now as to Tim going to court to force the issues and/or remove me as Trustee. Do what you have to do."</i>	1. Attorney's fee calculation appears to contain mathematical error (4.5 hours @ \$280.00/hr totals \$1,260.00). The court may require clarification and/or complete itemization.
Inventory	<b>Petitioner states</b> he has had to retain counsel, and asks the court to order Trustee to reimburse Petitioner for attorney's fees and costs. Attorney Roberts' declaration indicates \$826.00 incurred through 6-30-11, plus \$395.00 in costs for filing, plus \$1,400.00 for 4.5 hours @ \$280.00/hr since 6-30-11, and anticipates additional fees for appearance, etc., with respect to this petition.	2. <u><b>SEE EXAMINER'S NOTES REGARDING THE TRUST AND AMENDMENT DOCUMENTS ON PAGE 2.</b></u>
PTC	<b>Petitioner requests:</b>	<b>Updates:</b>
Not.Cred.	<ol style="list-style-type: none"> <li>1) That the Trustee be ordered to petition the court for settlement of the account and give notice on the Petition;</li> <li>2) That the court order the Trustee to pay Petitioner's attorney's fees and costs;</li> <li>3) That the court remove the Trustee and appoint Petitioner as Second Successor Trustee;</li> <li>4) That the court order the Trustee to turn over all information relative to the Trust to Petitioner.</li> </ol>	<b>Contacts:</b> Reviewed 10-3-11
✓ Notice of Hrg	<p><b>Alternatively, Petitioner requests:</b></p> <ol style="list-style-type: none"> <li>1) That the Trustee be ordered to petition the court for settlement of the account and give notice on the Petition; and</li> <li>2) Such other order and further relief as it may deem proper.</li> </ol>	<b>Recommendation:</b>
✓ Aff.Mail	<b>SEE PAGE 2</b>	<b>Reviewed by:</b> skc
Aff.Pub.		<b>File 5 - Moore</b>
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Petition to Compel Trustee to Account for Attorney's Fees and for Removal of Trustee [Prob. C 17200(b)(7)]**

**SUMMARY (Continued):**

**Response of Terence Moore filed and served 8-19-11** states that the Trustee will provide an accounting within 60 days of the hearing in this matter. Trustee has provided copies of the trust and amendment, and has ordered statements from the bank in which trust funds are held. The bank has worked with Trustee when his truck was broken into and the Trust checkbook ledger was stolen from the vehicle. The information is currently being collected for the accounting.

**Trustee objects to his removal** because it is not reasonably likely that a material breach of trust has occurred. Trustee provided information detailing the guns and rifles, and has obtained fair market value figures for them. Trustee has preserved all personal property in a storage facility, and has sold the residence in Porterville.

Trustee states he has not acted inconsistent with the intent of the Settlor, but has made cash distributions in accordance with the terms of the trust. Within the first year he distributed to each of the three beneficiaries the sums of \$75,000.00 each, \$50,000.00 each, and \$25,000.00 each. Trustee has 37 years' experience, reputation, and ability in the insurance industry reading complicated contracts and has read and understands the family trust. Trustee has taken his fiduciary duties very seriously and has sought to distribute under the terms.

**Trustee objects to his payment of Petitioner's attorney's fees.** Trustee has acted in good faith and has not breached his fiduciary duties or obligations, but to the extent possible, has communicated with beneficiaries the status of the trust.

**Trustee prays that:**

- 1) **The court order that Trustee has 60 days to provide an accounting;**
- 2) **This court will allow Trustee to continue his duties as Trustee;**
- 3) **This court not order Trustee to pay Petitioner's attorney's fees; and**
- 4) **For all other proper orders.**

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**Examiner's Notes regarding the trust document:**

1. The Amendment is dated 1997 – after the death of the first Settlor.
2. It originally appeared from the Petition that the issue at hand involved the Surviving Settlor's portion (Edward Moore's guns); however, based on the Response and further review of the Petition, it appears that both Petitioner and Trustee may be acting as if the Amendment amended the entire family trust.
3. The Amendment disinherits the first-deceased Settlor's children (these beneficiaries' step-siblings), and further amends the section appointing Successor Trustees, which is inappropriate after the death of the first Settlor.
4. Pursuant to Probate Code §17201, Petitioner listed himself, the Trustee, and their sister Deborah as the only trust beneficiaries; however, it appears that their three step-siblings are also beneficiaries.
5. Further, the step-siblings were also originally included as Successor Co-Trustees. Therefore, it does not appear that the appropriate notice has been provided, and it also appears that the Trustee may be acting inappropriately by serving as sole trustee pursuant to the Amendment.
6. The Response indicates that the Trustee has sold the Porterville home and made numerous monetary distributions to the beneficiaries (he and his own siblings). However, Examiner notes that the Porterville home is listed on Schedule A as a Trust asset not designated to either Settlor, and therefore may have been community property that would pass to all beneficiaries, including those disinherited by the Amendment. Further, the described distributions appear to conflict with Trust §5.02(m).
7. Therefore, the court may require clarification regarding the administration of the trust since the death of the second Settlor, and notice to the beneficiaries and named Successor Co-Trustees that have been omitted so far from this proceeding:
  - Jonna M. Key (daughter of Settlor Marie Moore, named Successor Co-Trustee and beneficiary)
  - Richard A. Elston (son of Settlor Marie Moore and beneficiary)
  - Vern E. Elston (son of Settlor Marie Moore, named Successor Co-Trustee and beneficiary)

**Note:** Notice of this hearing (10-6-11) was sent to these parties; however, Examiner notes that Vern Elston's notice was sent "C/O" at Jonna Key's address. The court may require clarification or diligence.

**Petition for Letters Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 6/19/11</b>		<b>RUSSELL J. EARLS</b> , nephew, is petitioner and requests appointment as Administrator with bond set at \$60,000.00  Full IAEA - ?  Decedent died intestate.  Residence: Fresno Publication: <b>NEED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Continued to 11/10/11</b></u> at the request of the attorney.  1. <b>Need Notice of Petition to Administer the Estate. (Note:</b> A Notice of Hearing was filed however Probate Code §8100 requires the Notice of Petition to Administer the Estate be service on all interested parties.)  2. <b>Need proof of service of the Notice of Petition to Administer the Estate on:</b> a. <b>Lee C. Payne</b> b. <b>Robert Earls</b> c. <b>Roxanne Earls</b> d. <b>Karen Flores</b> e. <b>Danette Earls</b> f. <b>Charles Edward, Jr.</b> g. <b>Stephanie Pearson</b> h. <b>Delton Wingfield</b> i. <b>Roland Wingfield</b> j. <b>Gene Wingfield</b> k. <b>Matalan Wingfield</b>  3. <b>Need Affidavit of Publication.</b>  4. <b>Robert Earls is listed on the proof of service for the Notice of Hearing however he is not listed on attachment 8 to the petition. Need clarification.</b>  5. <b>Need declaration of due diligence for Matalan Wingfield.</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b> x		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Estimated value of the estate:</b>	
Personal property	- \$ 3,000.00
Annual income	- \$ 1.00
Real property	- \$56,600.00
<b>Total</b>	<b>- \$59,601.00</b>

**Probate Referee: RICK SMITH**

<b>Reviewed by: KT</b>
<b>Reviewed on: 9/29/11</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 6 - Earls</b>

DOD: 4/12/11			<b>ELAINE COOPER</b> , daughter, is petitioner.  40 days since DOD.  No other proceedings.  Will dated 10/5/2006 devises entire estate to daughter, Elaine Cooper.  I & A                - <b>\$75,000.00</b>  <b>Petitioner requests</b> court determination that Decedent's 100% interest in real property passes to her pursuant to Decedent's Will.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg	W/		
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT
Reviewed on: 10/3/11
Updates: 10/5/11
Recommendation: SUBMITTED
File 7 - Reguera



Atty French, G Dana (for Pamela Lowery &amp; Rick Reitz – daughter &amp; son/Petitioner)

## Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 01/09/11		<b>PAMELA LOWERY and RICK REITZ</b> , daughter and son/named alternate co-executors without bond, are Petitioners.  Petitioner Pamela Lowery is a resident of Eugene, Oregon.  Full IAEA – ok  Will dated 08/09/96  Residence: Fresno Publication: The Business Journal  <u><b>Estimated Value of the Estate:</b></u> Personal property - \$ 30,000.00 Real property - 233,625.00 <b>Total - \$263,625.00</b>  Probate Referee: <b>STEVEN DIEBERT</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/		
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF Reviewed on: 09/30/11 Updates: Recommendation: SUBMITTED File 8 - Reitz

Atty Walters, Jennifer L. (for Ronald Markarian – husband/Petitioner)

Atty Harris, Richard A. (for Pamela Milam – daughter/competing Petitioner)

Atty Sanoian, Joanne (court appointed for Conservatee)

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.  
1820, 1821, 2680-2682)**

Age: 78 DOB: 07/17/33		<p align="center"><b>TEMPORARY CONSERVATORSHIP OF THE PERSON ONLY WAS GRANTED TO DAUGHTER, PAMELA MILAM; EXPIRES 10/12/11</b></p> <p><b>RONALD MARKARIAN</b>, spouse, is petitioner and requests appointment as Conservator of the person with medical consent and dementia powers to administer dementia medications and for appointment as conservator of the estate with bond set at [NOT SPECIFIED].</p> <p>Estimated value of the estate:            Personal property - \$100,000.00            Annual income - \$ 35,000.00  <b>Total - \$135,000.00</b></p> <p><b>Petitioner states</b> he has been married to the conservatee for close to 60 years. He and the conservatee have always resided together and leaned on one another. Currently the conservatee has dementia, in addition to other mental and physical conditions. In 2008, Conservatee was diagnosed with Alzheimer's. During that same year, Conservatee's daughter Pamela Milam, had a medical Power of Attorney drafted for her mother and her mother signed it. Petitioner was not provided with any information regarding this Power of Attorney until recently and is consequently being pushed out of medical decisions for his wife.</p> <p>Petitioner states Conservatee was recently hospitalized. After being admitted, Petitioner tried to visit the Conservatee and was told that he could not visit during her stay, was not entitled to any information, and upon release Conservatee would be released to her daughter, Pamela. Ronald called his daughter, Pamela and she indicated that she was moving the Conservatee to her home and seeking hospice care. She also indicated she would make no arrangements to allow Petitioner to see his wife.</p> <p>Petitioner states he has always provided security and financial stability for the Conservatee. Their money and property is commingled and there is no reason or documentation that would entitle anyone else to serve as the conservator of the estate.  <b>See Page 2 for more information</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Competing petition of Pamela Milam, daughter, is set for hearing on 10/12/11.</p> <ol style="list-style-type: none"> <li><b>1. Need Capacity Declaration.</b></li> <li><b>2. The petition does not specify the amount of bond requested.</b></li> <li><b>3. Need Citation and proof of personal service of the Citation on the proposed conservatee.</b></li> <li><b>4. Need receipt for viewing of conservatorship video.</b></li> </ol>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			x
<input type="checkbox"/>	CI Report			x
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation	x		
<input type="checkbox"/>	FTB Notice			

**9 Benny Markarian (CONS/PE)**

**Case No. 11CEPR00779**

**Atty Walters, Jennifer L. (for Ronald Markarian – husband/Petitioner)**

**Atty Harris, Richard A. (for Pamela Milam – daughter/competing Petitioner)**

**Atty Sanoian, Joanne (court appointed for Conservatee)**

Additionally, in the last month documents have been received regarding the Conservatee's finances and that bank accounts have been opened in the Conservatee's and Pamela's name. These bank accounts have been opened since 2008 and Pamela has tried to remove significant amounts of money from them. Conservatee and Petitioner have built a significant estate and Petitioner is concerned that if he does not receive temporary and permanent conservatorship that funds will disappear or title to the property will be changed.

**Court Investigator Dina Report filed – WAITING FOR REPORT**

Atty Kruthers, Heather H (for Public Guardian)  
 Attu Enmark, M (for Marian Shubin, beneficiary, in her bankruptcy proceedings)

## Probate Status Hearing Re: Further Status of Final Accounting

Age:	<b>PUBLIC GUARDIAN</b> was appointed Successor	<b>NEEDS/PROBLEMS/COMMENTS:</b>
DOD:	Trustee on 11-14-05.	
	On 6-21-11, the Third and Final Account was	<b>Minute Order 8-25-11:</b> Counsel advises the Court that it appears that the matter has been resolved in bankruptcy. Matter continued to 10-6-11.
	settled and distribution was ordered.	
Cont. from 082511	Minute order from 6-21-11 (Judge Gallagher)	<b>Note:</b> Examiner is unable to tell from the 6-21-11 minute order what the reason for this status hearing is. Examiner notes that the Order for Final Distribution was signed and filed on 6-27-11 pursuant to approval as to form and content by Attorney Enmark; however, per Attorney Kruthers, it was her understanding from the hearing that distribution to Ms. Shubin was later stayed, and continuance was granted with reference to Ms. Shubin's bankruptcy proceedings; however, there is no file documentation confirming.
Aff.Sub.Wit.	states: Mr. Enmark advises the Court that there is a resolution in this matter. The Court directs counsel to submit a revised order regarding the Marian Shubin distribution which is to be consistent with the stipulation. Petition is granted, Order to be signed Ex Parte.	
Verified	<u>The order settling the Third and Final Account, and for distribution, was approved as to form and content by Attorney Enmark on 6-22-11, and signed by Judge Oliver on 6-27-11.</u>	<b>Note:</b> Examiner notes that there is a Request for Special Notice filed by counsel for one of Ms. Shubin's creditors: Ron Collins., as well as a prior request for Special Notice by Ms. Shubin.  <u>Because the 6-21-11 minute order does not reflect continuance, it is unclear whether these parties received proper notice of the 8-25-11 hearing.</u>  <b>Note:</b> A Writ of Execution was issued on 8-26-11 to the creditor who requested special notice, so it appears they may be aware.
Inventory		
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Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	The order provides distribution as follows:	<b>Updates:</b> <b>Contacts:</b> Reviewed 10-3-11 <b>Recommendation:</b> <b>Reviewed by:</b> skc <b>File</b> 10 - Lundstrom
Duties/Supp	<ul style="list-style-type: none"> <li>To Timothy Lundstrom (directly): \$27,018.52+</li> <li>To Signe Lundstrom (in trust): \$27,018.53+ (<i>On 8-5-11, proof of opening account was filed.</i>)</li> <li>Marian Shubin's share (indirectly as follows, due to the bankruptcy proceedings):               <ul style="list-style-type: none"> <li>- \$163,20 Public Administrator</li> <li>- \$1,335.00 County Counsel</li> <li>- \$200.00 Fresno Superior Court</li> <li>- \$11,000.00 R.J. Collins Plumbing Co, Inc.</li> <li>- \$14,320.33 Michael H. Meyer, (Chapter 13 Trustee)</li> </ul> </li> </ul>	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Cross, Robert W. M., sole practitioner of Selma (for Irma Lozano, Administrator)

## Status Hearing Re: Closing the Estate

DOD: 10/11/2003		<p><b>IRMA LOZANO</b>, daughter, was appointed Administrator without bond on 1/2/2007 and <i>Letters</i> issued on that date.</p> <p><i>Order Settling First Account and Report of Administrator</i> was signed on 4/7/2007, showing the estate on hand consists of real property valued at <b>\$215,500.00</b>.</p> <p><i>Minute Order</i> dated 4/7/2011 from the hearing on the <i>First Account</i> set this status hearing for closing the estate.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need second account and/or petition for final distribution, or a current status report pursuant to Local Rule 7.5(B).</p> <p>Note: Court records show the last document filed in this matter is a <i>Dismissal of Creditor's Claim and Withdrawal of Request for Special Notice</i> filed on 7/5/2011 indicating the Department of Health Care Services withdraws its \$57,783.17 claim and its special notice request.</p>
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Letters			
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Video Receipt			
CI Report			
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Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 9/30/11	
		Updates:	
		Recommendation:	
		File 11 – Lozano	

Atty Helon, Marvin T., of Helon &amp; Manfredo (for Marlene Metkovich-Cotton, Executor)

## Status Hearing Re: Filing of the Final Account and Petition for Final Distribution

<b>DOD: 10/16/2008</b>		<p><b>MARLENE METKOVICH-COTTON</b>, daughter, was appointed Executor without bond on 12/18/2008 and <i>Letters</i> issued on that date.</p> <p><i>Judgment Settling First Account Current and Report of Executor, Authorizing Payment of Claim, Allowing Compensation and Reimbursement of Costs, and for Preliminary Distribution</i> was signed on 4/7/20011, showing the estate on hand consists of real and personal property valued at <b>\$952,996.80</b>.</p> <p><i>Minute Order</i> dated 4/7/2011 from the hearing on the <i>First Account</i> set this status hearing for the filing of the final account and petition for final distribution.</p> <p><b>Status Report of Administration filed by Marlene Metkovich-Cotton on 9/26/2011 states:</b></p> <ul style="list-style-type: none"> <li>Administration was not in a condition to be closed at the time of the <i>First Account</i>, as the Executor still needed to conclude a sale of the Decedent's residence and arrange for the sale or future farming of estate real property;</li> <li>Since the filing of the <i>First Account</i>, Decedent's residence has been sold pursuant to <i>Notice of Proposed Action</i> filed 7/13/2011, and the sale has closed;</li> <li>The Executor has now also located a buyer for the estate's remaining farm property consisting of ~12 acres and an escrow has been established to conclude a sale; however, this sale has not been concluded or closed and the Executor anticipates it may take a couple more months to finalize and close the sale of the farm property;</li> <li>The Executor believes it would be in the best interest of the estate and its beneficiaries to conclude the sale of the remaining real estate prior to making final distribution.</li> </ul> <p><b>The Executor requests the Court allow administration of the estate to continue, and that the status hearing be continued for ~150 - 180 days to allow for the sale of the remaining real property and preparation and filing of the final account and petition for final distribution.</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
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<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
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<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
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<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Reviewed by: LEG

Reviewed on: 9/30/11

Updates:

Recommendation:

File 12 - Metkovich

Atty Milnes, Michael A., sole practitioner (for Executor Carol S. Rankin)

## Probate Status Re: Declaration of Estate Without Assets &amp; Termination of the Estate

DOD: 6/20/2009		<p><b>CAROL S. RANKIN</b>, spouse, was appointed Executor without bond on 6/29/2010 and <i>Letters</i> issued on 2/4/2011.</p> <p><i>Minute Order</i> dated 8/25/2011 from the status hearing for the failure to file an <i>Inventory and Appraisal</i> states Counsel advises the Court that there is no property in the estate, and everything has been dealt with in the State of Illinois. Counsel further advises that he will be filing a declaration regarding no assets and a petition for termination of the estate. Matter is set for Status Hearing on 10/6/2011. If the documents are filed by 10/6/2011, no appearance will be necessary.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Court records do not show that a declaration and a petition for termination of the estate have been filed in this matter per <i>Minute Order</i> dated 8/25/2011.</p>
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Status Rpt	X		
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Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 10/3/11	
		Updates:	
		Recommendation:	
		File 13 - Allen	

Pro Per Garza, Ofelia Rodriguez (Pro Per Petitioner, paternal grandmother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 13 years		<b>NO TEMPORARY REQUESTED</b>  <b>OFELIA RODRIGUEZ GARZA</b> , paternal grandmother, is Petitioner.  Father: <b>VIDAL GARZA</b> ; <i>Texas</i> ;  Mother: <b>VERONICA GARZA</b> ; <i>Declaration of Due Diligence filed 8/8/2011</i> ;  Paternal grandfather: Vidal Garza, III  Maternal grandfather: <i>Not listed</i> Maternal grandmother: Victoria Garza  <b>Petitioner states</b> the child has lived with her since the 3 <sup>rd</sup> grade with the mother's consent, and the child has not known any other home. Petitioner states she needs guardianship in order to continue to make decisions regarding the child as the child gets older.  <b>Court Investigator Charlotte Bien's Report</b> was filed on 9/21/2011.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Note: <i>Child Information Attachment</i> to the <i>Petition</i> filed 8/8/2011 does not list any relatives of the child other than the Petitioner. Information has been obtained from the <i>Petition for Guardianship</i> filed 9/20/2004, which was dismissed per <i>Minute Order</i> dated 2/3/2005 due to two consecutive non-appearances by any parties.  1. Need <i>Notice of Hearing</i> .  2. Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i> , or <i>Consent to Appointment of Guardian and Waiver of Notice</i> , or a <i>Declaration of Due Diligence</i> , for: <ul style="list-style-type: none"> <li>• Unica D. Garza, proposed ward (age 13);</li> <li>• Veronica Garza, mother, <i>if Court does not find due diligence</i>;</li> <li>• Vidal Garza, father.</li> </ul> 3. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i> , or <i>Consent to Appointment of Guardian and Waiver of Notice</i> , or a <i>Declaration of Due Diligence</i> , for: <ul style="list-style-type: none"> <li>• Vidal Garza, III, paternal grandfather;</li> <li>• maternal grandfather;</li> <li>• Victoria Garza, maternal grandmother.</li> </ul>
DOB: 4/11/1998			
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✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
✓ Clearances			
✓ Order			
✓ Letters			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Reviewed by: LEG
Reviewed on: 10/3/11
Updates:
Recommendation:
File 14 – Garza



Eduardo Ramirez (GUARD/P)

Atty Cavazos Jr., Jonathan (Pro Per – Paternal Uncle – Guardian – Petitioner)

Petition for Termination of Guardianship (Probate Code 1460, 1601, 2626, 2627, 2636)

<b>Andrea Bernadette Ramirez</b> Age: 16 DOB: 4-28-95			<b>JONATHAN CAVAZOS, JR.</b> , Paternal Uncle and Guardian of the four minors, is Petitioner.  Father: Eduardo Ramirez (Deceased) Mother: Amanda Gonzalez Paternal Grandfather: Jose Ramirez (Deceased) Paternal Grandmother: Frances Rios (Deceased) Maternal Grandfather: Unknown (Deceased) Maternal Grandmother: Beatrice Gonzalez Sibling: Joseph Alejo Sibling: Valeria Rivera	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> It appears this request is for minors Andrea and Martina only.  <u>Note:</u> Per the Court Investigator, Petitioner wishes to withdraw this petition. If this petition goes forward, the following issues exist:  1. Petitioner's verification is not dated.  2. The petition is incomplete at #5 (reason for termination).  3. Need Notice of Hearing.  4. Need proof of service of Notice of Hearing at least 15 days prior to the hearing or consent and waiver of notice pursuant to Probate Code §1460(b)(5) on: - Andrea Ramirez (Minor, age 16) - Martina Ramirez (Minor, age 14) - Emma Ramirez (Minor, age 13) - Amanda Gonzalez (Mother) - Beatrice Gonzalez (Maternal Grandmother) - Joseph Alejo (half-brother, if age 12 or older, with copy to guardian) - Valeria Rivera (half-sister, if age 12 or older, with copy to guardian)
<b>Martina Raquel Ramirez</b> Age: 14 DOB: 10-27-96				
<b>Emma Amanda Ramirez</b> Age: 13 DOB: 4-28-95				
<b>Eduardo Ramirez, II</b> Age: 11 DOB: 11-22-99				
<input checked="" type="checkbox"/> Aff.Sub.Wit. <input checked="" type="checkbox"/> X			<b>Petitioner does not state a reason for the request for termination.</b>  <b>Court Investigator Julie Negrete filed a report on 9-7-11.</b>	
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Notice of Hrg <input checked="" type="checkbox"/> X				
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Citation				
FTB Notice				
			Reviewed by: skc	
			Reviewed on: 10-3-11	
			Updates:	
			Recommendation:	
			File 15 - Ramirez	

Grace Carol Tate Age: 7 DOB: 5-15-04		<b>NO TEMPORARY REQUESTED</b>  <b>RHONDA CAROL MOBLEY</b> , Maternal Grandmother, is Petitioner.  Father: <b>VINCENT RAMON TATE</b> - <i>Consent and Waiver of Notice filed 8-9-11</i> Mother: <b>KARA LEE MOBLEY</b> - <i>Consent and Waiver of Notice filed 8-9-11</i>  Paternal Grandfather: Leonard Robinson Paternal Grandmother: <i>Deceased</i> Maternal Grandfather: <i>Deceased</i>  Siblings: Shay Tate (20), Kendra Tate (20), and Diamond Tate (13)  <b>Petitioner states</b> Mother is not present in the home and Father has disabilities that would hinder him from making educated decisions for the children's welfare.  <b>Court Investigator Jennifer Young filed a report on 9-29-11.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need clarification for court records. Is the child's name "Vincente" or "Vincent?" (Documents indicate "Vincente" but examiner notes that he is a junior, and Father's name is "Vincent.")  2. Need Notice of Hearing.  3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Leonard Robinson (Paternal Grandfather) - Shay Tate (Sibling) - Kendra Tate (Sibling) - Diamond Tate (Sibling)	
Olivia Lee Tate Age: 4 DOB: 11-18-06				
Vincente Ramone Tate, II Age: 10 months DOB: 12-22-10				
	Aff.Sub.Wit.			
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	Notice of Hrg	X		
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		Reviewed by: skc		
		Reviewed on: 10-3-11		
		Updates:		
		Recommendation:		
		File 16 - Tate		

Pro Per Clark, Mary Gail (Pro Per Petitioner, paternal grandmother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 2 years		<p align="center"><b>NO TEMPORARY REQUESTED</b></p> <p><b>MARY GAIL CLARK</b>, paternal grandmother, is Petitioner.</p> <p>Father: <b>ROBERT CHARLES CLARK</b>; <i>consents and waives notice</i>;</p> <p>Mother: <b>MARY CRYSTAL (BRIONES) CLARK</b>; <i>deceased</i>;</p> <p>Paternal grandfather: Charles Albert Clark; <i>sent notice by mail 8/12/2011</i>;</p> <p>Maternal grandfather: Ruben Briones; <i>deceased</i>; <i>Declaration of Due Diligence filed 10/4/2011</i>;</p> <p>Maternal grandmother: Maria Juarez; <i>Declaration of Due Diligence filed 8/15/2011</i>;</p> <p><b>Petitioner states</b> the mother is deceased and the father is a felon on probation, and CPS does not want the child around her father.</p> <p><b>Petitioner requests</b> to be excused from giving notice to the maternal grandparents as the maternal grandmother is out of state and Petitioner has no idea of her whereabouts, and the maternal grandfather is deceased.</p> <p><b>Court Investigator Samantha Henson's Report</b> was filed on 9/29/2011.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: <i>Petition for Appointment of Guardian</i> filed by Mary Gail Clark on 8/15/2011 in Case #11CEPR00697 for guardianship of this child's half-sibling is set for hearing on 10/11/2011.</b></p> <p><b>Note: <i>UCCJEA</i> filed on 8/9/2011 shows the child has lived with the Petitioner since the child's birth.</b></p>				
DOB: 12/28/2008							
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<table border="1"> <tr> <td>Reviewed by: LEG</td> </tr> <tr> <td>Reviewed on: 10/3/11</td> </tr> <tr> <td>Updates: 10/5/11</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 17 - Clark</td> </tr> </table>			Reviewed by: LEG	Reviewed on: 10/3/11	Updates: 10/5/11	Recommendation:	File 17 - Clark
Reviewed by: LEG							
Reviewed on: 10/3/11							
Updates: 10/5/11							
Recommendation:							
File 17 - Clark							

Jose age: 15 years DOB: 1/21/1996	<p><b>THERE IS NO TEMPORARY.</b> No temporary was requested.</p> <p><b>JEANINNE MARIE OCHOA</b>, maternal grandmother, is petitioner.</p> <p>Jose's father: <b>RAFAEL FLORES</b>, Jr. – <i>consent and waiver of notice filed on 9/12/11.</i></p> <p>Alazay, Jade &amp; Chelsey's father: <b>JOE ESPARZA</b> – <i>consent and waiver of notice filed on 9/12/11.</i></p> <p>Mother: <b>MONICA CHAVEZ</b> – <i>personally served on 9/11/11.</i></p> <p>Jose's paternal grandfather: Rafael Flores – <i>served by mail on 8/11/11</i></p> <p>Jose's paternal grandmother: Miriam Meza – <i>served by mail on 8/11/11</i></p> <p>Alazay, Jade &amp; Chelsey's paternal grandfather: Alfonzo Esparza – <i>served by mail on 8/11/11</i></p> <p>Alasay, Jade &amp; Chelsey's paternal grandmother: Olga Gonzales – <i>served by mail on 8/11/11</i></p> <p>Maternal grandfather: Arturo Chavez – <i>served by mail on 8/11/11</i></p> <p>Minor Jose Flores (age 15) – <i>consents and waives notice.</i></p> <p><b>Petitioner states</b> the children live with her and she is providing for their day to day needs. She is the person making decisions regarding their education and health. Guardianship is needed so that the Petitioner can continue to make all the decisions regarding their health and education.</p> <p><b>Court Investigator Dina Calvillo's Report filed on 9/27/11.</b></p>	NEEDS/PROBLEMS/COMMENTS:	
Alazay age: 10 years DOB: 2/4/01			
Jade age: 6 years DOB: 7/17/05			
Chelsey age: 4 years DOB: 12/21/06			
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Citation			
FTB Notice			

Reviewed by: KT
Reviewed on: 10/3/11
Updates:
Recommendation:
File 18 – Flores Esparza

Juan Alberto Castro Vidales Age: 8 DOB: 8-13-03		<b>GENERAL HEARING 11-28-11</b>  <b>OLGA GUERRA</b> , Maternal Grandmother, is Petitioner.  Father: <b>AVELINO CASTRO</b> - Declaration of Due Diligence filed 9-26-11 Mother: <b>JANIE VIDALES</b> - Personally served 9-23-11  Paternal Grandfather: Unknown Paternal Grandmother: Unknown Maternal Grandfather: Unknown  <b>Petitioner states</b> Mother was incarcerated on 9-19-11 for physical aggression on her boyfriend, Eddie. Mother and Eddie fight all the time in front of the child and Eddie has hit him and is verbally aggressive. Eddie has called him "worthless," "punk," and other derogatory names. Mother has previously hit the child and has given him a black eye. When Mother was released, she came for the child but after the office spoke to the social worker, the child was left in Petitioner's care. The child is afraid to go back home because of the constant fights.  Petitioner states the child is happy with her and said he does not want to go with his mother because she would not feed him. Petitioner is able to provide protection, safety, and a home free of aggression. He is in school and temporary guardianship is needed to keep his mother from taking him with her.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Petitioner's Declaration of Due Diligence for Father states she only met him once and was unable to locate him.</b>  If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> further diligence on: - Avelino Castro (Father)  <u><b>Note to Judge:</b></u> If granted, please insert expiration date at #9 of the order.																																																																														
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Atty      Driver, Laura Adair (pro per Petitioner/paternal grandmother)

**Petition for Appointment of Temporary Guardianship of the Person**

Macy age: 8 years DOB: 7/4/03		<p><b>Temporary Was Granted Ex Parte On 9/26/11.</b>  <u><b>TEMPORARY EXPIRES 10/6/11</b></u></p> <p><u><b>GENERAL HEARING 11/29/11</b></u></p> <p><b>LAURA ADAIR DRIVER</b>, paternal grandmother, is petitioner.</p> <p>Father: <b>KC DRIVER</b> – <i>personally served on 9/30/11</i></p> <p>Mother: <b>JESSICA ELLEN ATCHLEY</b> – <i>personally served on 9/30/11</i></p> <p>Paternal grandfather: Don Driver  Maternal grandfather: Robert Atchley  Maternal grandmother: Mary Atchley</p> <p><b>Petitioner states</b> both parents are guilty of domestic violence. The girls were in foster care from April 2006 to April 2008. When they were taken by CPS the mother refused to allow the girls to be placed with the petitioner (even though they had already been living with her). During the time they were in foster care, they were in 6 different homes. Petitioner alleges they were physically, mentally and emotionally abused. The children have lived with Petitioner again since May 27, 2011; however, both parents make it abundantly clear that if Petitioner displeases them, or do something they do not want her to do they can take the children at any time. Recently, Petitioner states her son, the biological father, came to her home and demanded money. When Petitioner said no, he made it clear that he just might take the children from her. Both girls are afraid that their mother will come and take them away. Macy shakes and shivers when she thinks her mom might be coming over because she is afraid that she will insist she go with her. Petitioner requests the Court grant her request to be appointed as temporary guardian of the children.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
Alexis age: 5 years DOB: 8/4/05			
Jonathan age: 2 years DOB: 1/21/09			
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			Recommendation:
			File 20 – Atchley-Driver & Driver

Atty Soria, Carmen (Pro Per - Maternal Grandmother – Petitioner)

Petition for Appointment of Temporary Guardianship of the Person

Jennifer Jacqueline Lopez Age: 11 DOB: 3-30-00		<b>GENERAL HEARING 11-29-11</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>																																																																			
Juan Isaiah Soria Mercado Age: 8 DOB: 12-9-02																																																																						
Jaydan Joel Soria Mercado Age: 5 DOB: 5-9-06		<b>CARMEN SORIA</b> , Maternal Grandmother, is Petitioner.  Father (Jennifer): <b>ROGELIO I. LOPEZ</b> - <i>Declaration of Due Diligence filed 9-29-11</i>  Father (Juan and Jaydan): <b>JUAN SERGIO MERCADO</b> - <i>Consent and Waiver of Notice filed 9-26-11</i>  Mother: <b>ERIKA K. SORIA</b> - <i>Nomination, Consent and Waiver of Notice filed 9-26-11</i>  Paternal Grandfather (Jennifer): Not listed (name crossed out) Paternal Grandmother (Jennifer): Alma Resendez  Paternal Grandfather (Juan and Jaydan): Herman Mercado Paternal Grandmother (Juan and Jaydan): Camelia Mercasdo  Maternal Grandfather: Robert Rivera  <b>Petitioner states</b> Mother is going through some legal matters. Mother has had custody of Juan and Jaydan due to their father's criminal record and drug abuse, and Jennifer has lived with Petitioner since she was two months old. Jennifer's father has never been in her life, and Juan and Jaydan's father has never shown to court (10CEFL02922).	<b>Note:</b> UCCJEA indicates that Juan and Jaydan currently live with Mother.  1. If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> further diligence on: - Rogelio I. Lopez (Jennifer's father)																																																																			
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